

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application as presently amended is respectfully requested.

Claims 1-8 are presently pending in this application. Claims 1-3 and 5-8 have been amended without the introduction of any new matter. Support for the modified terms as to the designation of the time transmitted when a reservation is accepted appears in Fig. 29, for example.

The outstanding Office Action includes a rejection of Claim 1 under the second paragraph of 35 U.S.C. §112, a rejection of Claims 1, 3, 4, 6, and 8 under 35 U.S.C. §102(e) as being unpatentable over Bonomi et al. (U.S. Patent No. 6,769,127, Bonomi), a rejection of Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Bonomi in view of Bantum (U.S. Patent No. 5,790,805), and a rejection of Claims 5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Bonomi in view of Harif et al. (U.S. Patent No. 6,581,110, Harif).

The rejection of Claim 1 under the second paragraph of 35 U.S.C. §112 is believed to be overcome by the present amendment that clarifies that the previously recited “real time information of server side” is a time reference value representing the current time that will be used to determine when the processing server can be accessed after a reservation request has been accepted. Accordingly, withdrawal of this rejection is respectfully submitted to be in order.

Before considering the prior art based rejections, it is believed that a brief summary of the present invention would be helpful. In this regard, the claimed invention includes a server reservation method and program on a medium in which a user terminal makes a reservation for using a processing server during a desired service supply time period. The user terminal forwards a reservation request to a reservation control apparatus that has control of reserving the processing server via a network. The reservation request from the user

terminal to the reservation control apparatus via the network includes the desired service supply time period for the user terminal to use the processing server. It is next determined if a reservation for using the processing server will be accepted and, if it is, a current time reference value is transmitted from the reservation control apparatus to the user terminal via the network. The transmitted current time reference value is what is used to determine when the processing server can be accessed by the user terminal apparatus for using the processing server in accordance with the accepted reservation.

In another aspect of the invention, the reservation control apparatus that can perform this method is set forth.

Turning to the rejection of Claims 1, 3, 4, 6, and 8 under 35 U.S.C. §102(e) as being unpatentable over Bonomi, it is noted that in order to establish a valid rejection based upon 35 U.S.C. §102(e), the PTO must demonstrate that Bonomi teaches all of the limitations recited by Claims 1, 3, 4, 6, and 8. In this regard, the PTO must point out where Bonomi teaches the independent Claim 1 step of “transmitting a current time reference value from said reservation control apparatus to said user terminal apparatus via the network if the reservation request is accepted, said current time reference value determining when said reservation state of said processing server will permit access by the user terminal apparatus to the processing server for using the processing server,” and the similar processing step of independent Claim 8, for example. The PTO must further point out, for example, where Bonomi teaches the independent Claim 6 feature of “transmitting means for transmitting a current time reference value to the user terminal apparatus via the network when the determining means accepts the reservation for the use of said processing server during said desired service supply time period, said current time reference value determining when said processing server can be accessed by the user terminal apparatus for using the processing server in accordance with the accepted reservation.”

Instead of teaching the above-noted steps or feature of the independent Claims 1, 6, and 8, Bonomi teaches scheduling a date and time for receiving information from a server. Further in this regard, it is believed to be clear that the relied upon teachings of col. 18, lines 14-32 simply relate to a program guide that can be customized by a subscriber to fit the subscribers desires as pointed out at col. 18, lines 14-18. While the program guide includes a display of current time bar covering any time in a 30 minute period, as described at col. 18, lines 27-33, this time bar display cannot be equated to the above-noted claim language requiring a transmission of a current time reference value from a reservation control apparatus to a user terminal apparatus if a reservation request by the user terminal apparatus is accepted by the reservation control apparatus. Moreover, there is no teaching that the display of the thirty-minute increment is in any manner used to determine when a processing server can be accessed by a user terminal apparatus for using the processing server in accordance with an accepted reservation.

Accordingly, as there is no teaching in Bonomi of all the limitations recited by independent Claims 1, 6, and 8, and as Claims 3 and 4 depend from Claim 1 and include all the limitations thereof, the withdrawal of the rejection of Claims 1, 3, 4, 6, and 8 under 35 U.S.C. §102(e) as being unpatentable over Bonomi is respectfully submitted to be in order.

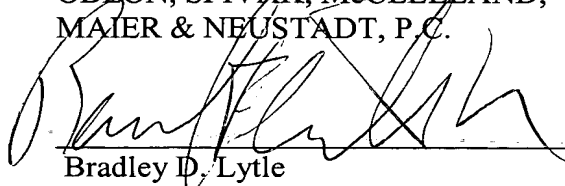
Turning to the rejection of Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Bonomi in view of Bantum, and the rejection of Claims 5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Bonomi in view of Harif, it is noted that Claims 2 and 5 depend from independent Claim 1 while Claim 7 is dependent on independent Claim 6. As neither Bantum nor Harif cure the above-noted deficiencies of Bonomi, it is also respectfully submitted that these rejections of Claims 2, 5, and 7 should be withdrawn.

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Reply to Office Action of 01/04/05

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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